

Chicago Tribune, July 18, 2007

Several Great Lakes lawmakers this week urged federal regulators to block a BP refinery near the Illinois-Indiana border from dumping significantly more ammonia and industrial sludge into Lake Michigan.

Reacting to a story in Sunday's Tribune, members of Congress from Illinois, Indiana and Michigan contacted the U.S. Environmental Protection Agency, demanding to know why the agency stood idle while Indiana regulators approved the oil company's proposal.

Chicago and the Chicago Park District, meanwhile, are planning to conduct a petition drive at beaches this weekend to encourage public opposition to BP's plans.

State officials exempted BP from Indiana environmental laws to clear the way for a \$3.8 billion expansion, which will allow the Whiting, Ind., refinery to process more heavy Canadian crude oil. They justified the move in part by noting the project will create 80 new jobs.

Like most states, Indiana is authorized to administer the Clean Water Act and other federal environmental laws. The U.S. EPA frequently steps in to oversee permits and enforcement, but in this case the agency did not object to the state's decision.

The refinery already is one of the largest polluters on the Great Lakes, but under BP's new state permit it can release 54 percent more ammonia and 35 percent more sludge into Lake Michigan every day. Ammonia promotes algae blooms that can kill fish and trigger beach closings, while sludge contains concentrated heavy metals.

Federal and state regulators acknowledged this is the first time in years that a company has been allowed to dump more pollution into the lake, the source of drinking water for Chicago and dozens of other communities.

"We need to embarrass the BP leadership to do the right thing," U.S. Rep. Mark Kirk said Tuesday on WGN radio's "The Spike O'Dell Show." "In my book, BP, which tries to market itself as an environmentally friendly company, now stands for 'Bad Pollution.'"

Kirk and other lawmakers said they previously weren't aware of the BP permit. Among those demanding more information were U.S. Sens. Richard Durbin and Richard Lugar and Reps. Rahm Emanuel, Dan Lipinski, Pete Hoekstra and Vernon Ehlers.

Durbin sent a letter to top EPA officials in Washington citing, among other things, a Clean Water Act provision that prohibits any decline in water quality even if limits on pollution discharges are met. The amounts allowed under BP's new permit remain at or below federal guidelines.

"It's our responsibility to support efforts to restore, rather than further degrade Lake Michigan," Durbin wrote.

The EPA is preparing a response to the congressional letters and calls, said Phillipa Cannon, a spokeswoman in the agency's regional office in Chicago. Indiana regulators, meanwhile, said they forced BP to discharge less pollution than the company had requested.

In an e-mail, a BP official said the company is spending \$90 million to upgrade the refinery's water-treatment plant.

"Every step has been done properly, with the oversight of state and federal regulators and in full public view," wrote Scott Dean, a company spokesman.

But state and federal regulators agreed with BP that there isn't enough room at the 1,400-acre Whiting site to upgrade the water treatment plant enough to keep more pollution out of the lake. As a result, the company will be allowed to dump an average of 1,584 pounds of ammonia and 4,925 pounds of sludge into Lake Michigan every day.

This article was edited to comply with Franking Commission guidelines.